

DAVIS-BACON

ADDITIONAL CLASSIFICATIONS

PROCESS

CONTRACT CLAUSE STIPULATED AT 29 C.F.R. § 5.5(a)(ii)
(Reiterated in the FAR at 48 C.F.R. § 52.222-6)

**CONFORMANCE/ADDITIONAL CLASSIFICATION REQUEST
PROCESS – CONTRACTING AGENCY ROLE**

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**STANDARD FORM 1444 – “REQUEST FOR AUTHORIZATION OF
ADDITIONAL CLASSIFICATIONS AND RATES”**

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CONTRACT CLAUSE STIPULATED AT 29 C.F.R. § 5.5(a)(ii)

(Reiterated in the FAR at 48 C.F.R. § 52.222-6)

- (A) The contracting officer shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. The contracting officer shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:
 - (1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and
 - (2) The classification is utilized in the area by the construction industry; and
 - (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.
- (B) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits, where appropriate), a report . . . shall be sent by the contracting officer to the . . . Administrator of the Wage and Hour Division, . . . Department of Labor, . . . [for approval, modification or disapproval with respect to each proposed classification and wage rate].
- (C) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer shall refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator. . . .
- (D) The wage rate (including fringe benefits, where appropriate) determined pursuant to subparagraphs (1)(B) or (C) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.”

CONFORMANCE/ADDITIONAL CLASSIFICATION REQUEST PROCESS

CONTRACTING AGENCY ROLE

Pre-Bid/Pre-Award

Look at the Wage Determination:

- ◇ Compare classifications on the wage determination with anticipated work to be performed to identify missing classes that may be needed.
- ◇ If virtually all the work is to be performed by a missing classification, use Standard Form (SF) 308 to request an appropriate predetermined wage rate for incorporation in the bid specifications.

Tell contractors about the possible need to request additional classes and rates after award:

- ◇ Ensure that Davis-Bacon clauses are in the solicitation, including the conformance criteria.
- ◇ During pre-bid/pre-award conferences discuss criteria to alert contractors on how requests for additional classifications and wage rates will be evaluated.
- ◇ In response to phone inquiries regarding missing classifications, refer to the conformance criteria in the contract clause.
- ◇ Call the WHD for guidance where questions/disputes arise regarding proper application of Davis-Bacon wage determinations to specific upcoming projects.

After-award

Identify Additional Classes that May Be Needed:

- ◇ Discuss the wage determination and conformance criteria in pre-construction conference.
- ◇ Review certified payrolls for classes not listed on the wage determination.
- ◇ Conduct on-site inspections/employee interviews and identify additional classes.
- ◇ Consider subcontractor inquiries about missing classifications/rates.
- ◇ Consider complaints by employees/unions/competitors.

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Work with the contractors and other affected parties to help develop the conformance request:

- ◇ Provide request form (SF-1444 or similar) to the contractor. Instructions on how to complete the form are pre-printed on the form. (The SF-1444 can be downloaded from the “Library” section on the WDOL website (<http://www.wdol.gov>) and it is in the FAR at 48 C.F.R. § 53.301-1444.
- ◇ Consider the views of affected parties:
 - ◇◇ Prime contractor
 - ◇◇ Subcontractor (if applicable)
 - ◇◇ Employee(s) (if known)
 - ◇◇ Union representative (if the employees are represented by a union)
- ◇ Review contractor request for additional classes and rates accordance with conformance criteria and ensure that all required information is furnished.
 - ◇◇ Work to be performed is not performed by a classification already listed on the applicable wage determination.
 - ◇◇ Rate bears a reasonable relationship to other rates in the wage determination.
- ◇ Be sure that the criteria for the approval of additional classifications and wage rates have been followed.
- ◇ Determine whether affected parties are in agreement or have dispute(s).
 - ◇◇ Attempt to resolve disputes in accordance with conformance criteria, if possible.
 - ◇◇ Develop agency recommendation and documentation of disputes (if any).

Submit conformance request for DOL review and ruling:

- ◇ Include the following:
 - ◇◇ Completed SF-1444 (or similar form or letter).
 - ◇◇ Related documentation and agency recommendation.
 - ◇◇ Copy of contract wage determination(s), to expedite processing.

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- ◇ To submit by e-mail, please scan the completed form and all supporting documents into a 'pdf' file and attach to the email. Include the Contracting Officer's name, address, telephone, and email address. Submit the email to: mitchell.beverly@dol.gov.

Communicate with DOL after submitting conformance request, as appropriate:

- ◇ Lack of a DOL response within 30 days does not mean that the request has been approved. Contact DOL either by mail or by phone (see the WHD Branch of Construction Wage Determinations analyst listing at the end of this section) for a status of request.
- ◇ Respond to DOL requests for additional information needed to process the request as promptly as possible.

Communicate DOL determination to the contractor and other interested parties:

- ◇ The DOL determination should be provided to interested parties (for example, the general/prime contractor, subcontractors, employees, employee representative(s), any of whom may have an interest in a possible appeal of the ruling.)

Advise the contractor and other interested parties of the reconsideration and appeal process:

- ◇ Disputes concerning application of a determination regarding a request for additional classifications and wage rates may be brought to the WHD Administrator under the 29 C.F.R. § 5.5(a)(9) reiterated at FAR 48 C.F.R. § 52.222-14) for a ruling pursuant to 29 C.F.R. § 5.13. An interested party may appeal a final ruling of the Administrator pursuant to the provisions of 29 C.F.R. Part 7.

CONFORMANCE CHECKLIST FOR CONTRACTING AGENCIES

Agency officials should provide the following information when requesting additional classifications and wage rates:

- ___ 1. The Contract Number, Project Number or HUD Identifying Number.
SF 1444: Block 5
- ___ 2. The bid opening date (if advertised).
SF 1444: Block 6
- ___ 3. The award date of the contract.
SF 1444: Block 7
- ___ 4. The date the contract work started (if started).
SF 1444: Block 8
- ___ 5. Prime/General contractor.
SF 1444: Block 3
- ___ 6. Subcontractor (if any).
SF 1444: Block 10
- ___ 7. The project location: city, county, and State.
SF 1444: Block 12
- ___ 8. Brief description of project work.
SF 1444: Block 11
- ___ 9. Contract Wage Decision No(s).
SF 1444: Block 13
 ___ Modification No. (for each if multiple decisions).
 ___ Date of modification (for each if multiple decisions).
- ___ 10. Proposed classification(s); description of duties if other than a basic trade.
SF 1444: Block 13a
 (Note: See separate instructions for apprentices, trainees, helpers, welders,
foremen, technical workers and supervisory employees.)

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___ 11. Proposed rates:

___ ◇ basic hourly rate(s).
 SF 1444: Block 13c

___ ◇ fringe benefits (if any).
 SF 1444: Block 13c

___ 12. Documentation that the interested parties are in agreement or their views regarding dispute. SF 1444: Blocks 14, 15, 16 for contractors, employees, representatives, respectively.

___ ◇ Contractor(s) signatures
 SF 1444: Block 14 and 15

___ ◇ Employees' or representative signature (if known when the request is submitted).
 SF 1444: Block 16
 (If the contractor is party to a collective bargaining agreement, the union representative may sign for the employees or the collective bargaining agreement may be submitted.)

___ ◇ If there are parties in disagreement, documentation of their views should also be attached.

___ 13. Agency signature and recommendation.

___ ◇ Contracting officer/agency signature.

___ ◇ No action will be taken on the request if the agency does not sign and provide its agreement/disagreement regarding the request, or its position regarding a dispute between other parties.

___ 14. Agency contact person's name, address and phone number (clearly legible please).

All proposed additional classification/conformance actions must be submitted to the WHD for review. The WHD may approve, modify, or disapprove any proposed additional classifications.

CRITERIA FOR APPROVAL OF ADDITIONAL CLASSIFICATIONS AND WAGE RATES

This is the detailed process for determining whether a request for an additional classification and wage rate can be approved. The criteria to be applied are:

- (1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and
- (2) The classification is utilized in the area by the construction industry; and
- (3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

29 C.F.R. § 5.5(a)(1)(ii)

To the extent that the contracting officer/agency follows this process, **DOL processing of requests for approval of conformance actions can be expedited, and complications minimized** in the event of reconsideration and appeal actions. Where this process is not followed by the contracting agency, delays can be anticipated in DO L processing of the additional classification requests, and reconsideration and appeals of such cases may occur.

Note: Review separate guidance for helpers, apprentices, trainees, welders, working foremen, technical and supervisory employees, see separate guidance, on pages 18-19, below.

Step 1: Is the requested classification already listed in the contract wage determination for the appropriate county and type of construction?

If so, the classification and rate listed in the wage determination apply.

Step 2: Can a classification in the contract wage determination – for the appropriate county and type of construction – perform the work?

See chart, pp. 19-20, below, that lists some of the additional classes, often requested, that are commonly performed by general classifications that may already be listed in the applicable wage determination.

Note: If multiple wage schedules are included in the contract, reference is to work performed by classification(s) already in the wage schedule that applies to the portion of the project for which the additional classification is requested.

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Step 3: If yes, is the wage determination classification that may apply a union or non-union rate?

- (A) **If** the classification in the applicable wage determination lists a **union rate** (the identifier above the classification will indicate the union source of the rate), then **only** information from the union segment of the industry for the type of construction in the area is relevant to determining whether the requested classification should be denied and the classification listed on the wage determination used for the work.
- (B) **If** the classification in the applicable wage determination lists a **non-union** rate (indicated by a “SU . . .” identifier above the relevant classification listing), then a non-union rate has been determined to be prevailing for the given type of construction in the area, and **only** the practices of non-union contractors in the area may be used as a basis for determining whether the requested classification should be denied and the classification listed on the wage determination used for the work.
- (C) If more than one classification in the applicable wage determination may perform the work, determining whether one of those classifications should be used, and the requested classification denied, depends on an examination of each in accordance with steps 3(A) and 3(B).

Step 4: Is there evidence that the duties in question were performed by employees in the relevant sector of the construction industry on **similar construction** in the area **prior to award of this contract**? (*See Fry Brothers Corp.*, WAB Case No. 76-6 dated June 14, 1977, and *American Building Automation*, ARB Case No. 00-067, dated March 30, 2001, (and cases cited therein). A brief synopses of these cases are provided below (See Reference Case Nos. 1 and 4).

For example:

- ◇ If, for a building construction project, the contract wage determination contains a union rate for the classification that may perform the duties in question, is there any evidence that union contractor employees performed the same duties on building construction in the county during the year prior to award of this contract?
- ◇ If, on a highway construction project, the contract wage determination contains a non-union rate for a classification that may perform the duties in question, is there evidence that non-union contractor employees performed the duties in question on a highway construction project in the area during the year prior to award of the contract?

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Step 5: If there is such evidence, the request for the additional classification must be denied, as a classification already in the contract wage determination performs the work for which the additional classification was requested.

Example A - The wage determination classification/rate are union:

- ◇ **If the classification in the wage determination** that may perform the duties in question **is a union rate, and if** union worker(s) can be shown to have **performed** the duties in question on similar construction in the same area prior to award of the contract in question, **then** in light of the first criterion for approval of an additional classification, the request for the additional classification must be denied.

NOTE:

A claim that the applicable union agreement applies to such work is normally **not** an adequate basis for denying the additional classification request. **Specific information identifying project(s) on which the union workers performed such work and identifying the contractor who employed them on such project(s),** is needed to establish that the work in question was performed by a classification in the contract wage determination.

Such data is evidence of a local area practice that the union classification listed in the wage determination had been used to perform the duties in question (it need not be a prevailing practice). If there is evidence that the duties have been performed using the union classification in the wage determination, then the work in question must be classified in accordance with the union classification in the contract wage determination, and at least the rate specified there, including fringe benefits, shall be paid to all workers performing work in the classification under the contract from the first day on which work has been performed in the classification.

If there is no evidence that the duties in question were performed by the classification in the contract wage determination, move to step 6, below.

Example B - The wage determination classification/rate are non-union:

- ◇ **If a non-union rate is listed for the classification in the contract wage determination** that may perform the duties in question (for the given type of construction and county), this indicates that a non-union rate has been determined to be prevailing for the given type of construction in the area, and the practice of union contractors in the area **may not be used** as a basis for denying the request for the additional classification. Information from non-union contractors is relevant.

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- Step 6:** If the duties of the proposed classification are not performed by a classification on the wage determination, it must then be determined whether or not the rate requested **bears a reasonable relationship** to the wage rates already in the applicable contract wage determination schedule **for the given county and type of construction.**
- (A) Generally, requests for additional classifications at wage rates below the unskilled laborer wage rate should not be approved.
 - (B) Skilled craft classifications should not be approved at wage rates below those already listed for other skilled crafts (excluding laborers, truck drivers, and power equipment operators – see *Tower Construction*, WAB Case No 94-17, dated February 28, 1995; reference case no. 2, below).
 - (C) Rates for additional laborer, truck driver, and power equipment operator classes should normally be compared with other laborers, truck drivers, and power equipment operators, respectively. (See *Tower Construction*, WAB Case No 94-17, dated February 28, 1995; reference case no. 2, below.)
 - (D) If the contract wage determination includes rates for skilled craft(s) below the unskilled laborer rate, the relation of the requested rate to rates listed for related crafts may be relevant. (See *M Z. Contractors Co., Inc.*, WAB Case No. 92-06, dated August 25, 1992, and *Swanson's Glass*, WAB Case No. 89-30, dated April 20, 1989; reference case nos. 3 and 5, below).

REFERENCE CASE NO. 1

Fry Brothers Corp., WAB Case No. 76-6 (June 14, 1977)

Pursuant to the WAB decision in *Fry Brothers Corp.*, WAB Case No. 76-6 dated June 14, 1977, the proper classification for work performed on a particular Davis-Bacon covered project by laborers and mechanics is that classification used by firms whose wage rates were found to be prevailing in the area and incorporated in the applicable wage determination. Accordingly, in view of the *Fry Brothers Corp.* decision, the classification practices utilized in the appropriate sector for such construction projects in the area in question must be used to determine the proper classification for work on this project.

Note: The above synopsis is provided for information purposes only. The full text of the decision can be obtained from the ARB. and it is available at:

<http://www.oalj.dol.gov/libdba.htm>

REFERENCE CASE NO. 2

Tower Construction, WAB Case No 94-17 (February 28, 1995)

In this case, the WAB confirmed the Administrator's ruling concerning the appropriate rate to be approved for certain additional classifications, in accordance with the "reasonable relationship" requirement – the third criterion for conformability.

The additional classifications requested by the contractor in this case were: acoustical ceiling installer, painter, soft floor layer and drywall finisher, all of which are skilled construction trades. The Administrator ruled that the lowest approvable rate was the rate listed in the contract wage determination for the lowest skilled classification – excluding consideration of the rates listed for power equipment operators, laborers and truck drivers. The Board ruled as follows:

We have long recognized as reasonable, in the ordinary circumstance, Wage and Hour's policy of conforming rates for missing skilled classifications to a level no less than the lowest rate for a skilled classification in the wage determination. . . . In administering the conformance process Wage and Hour further groups classifications within the broad category of power equipment operators and distinguishes them from other skilled classifications since the operators are a 'separate and distinct subgroup of construction worker classifications.' . . . Thus, when conforming omitted power equipment operator rates, Wage and Hour only looks to listed equipment operator rates for determining a reasonable relationship. Conversely, omitted skilled classifications are not conformed at operator rates. The unique skills and duties of power equipment operators are sufficiently distinguishable from the skills of mechanics in skilled construction trades, such that the Administrator's rejection of the equipment operator rates was well within the discretion granted her under the regulation. . . .

The Board further noted that the contract wage determination in this case also listed a truck driver classification and noted that truck driver skills are more akin to those of power equipment operators, that the truck driver rate was below that listed for an unskilled laborer, and that the Administrator also excluded that truck driver rate from consideration in determining the appropriate conformed rate for the skilled crafts in question. The Board concluded that:

where a rate within the clearly distinct equipment operator group is the 'floor' for a wage determination, it is reasonable to exclude those rates from consideration and conform missing skilled classifications to the next higher level for a skilled trade.

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In this case, the Board also reiterated important positions it had stated in prior rulings, to the effect that:

a party seeking conformed classifications and rates ‘may not rely on a wage determination granted to another party regardless of the similarity of the work in question.’ *Inland Waters Pollution Control, Inc.*, WAB Case No. 94-12 (Sept. 30, 1994) slip op. at pp. 7-8.”

and further that:

a contractor could not prospectively rely on Wage and Hour’s prior approval of rates for application to a contract performed at the same location. *E&M Sales, Inc.*, WAB Case No. 91-17 (Oct. 4, 1991).

Note: The above synopsis is provided for information purposes only. The full text of the decision can be obtained from the ARB. and it is available at:

<http://www.oalj.dol.gov/libdba.htm>

REFERENCE CASE NO. 3

M.Z. Contractors Co., Inc., WAB Case No. 92-06 (August 25, 1992)

The WAB remanded this matter to the WHD for further proceedings after the Acting Administrator had approved the addition (conformance) of an “insulator” classification, for pipe insulation work, at a wage rate equal to the rate listed on the wage determination for “laborers.” The WHD approval was in accordance with the policy of approving conformance of a proposed rate for a skilled classification of worker so long as the proposed rate was equal to or exceeded the lowest rate for a skilled classification already contained in the contract wage determination. (The painters' rate in the wage determination was lower than the laborers' rate). The Board approved this general WHD policy “as applied in the ordinary circumstances,” but rejected its application to the present case where almost all the skilled classifications in the determination had wage rates substantially higher than the laborers' rate. The Board indicated that in this case it was appropriate for the WHD to select the particular method to determine what conformed rate would meet the third regulatory criterion requirement of bearing a reasonable relationship to the wage rates contained in the wage determination.

Note: The above synopsis is provided for information purposes only. The full text of the decision can be obtained from the ARB. and it is available at:

<http://www.oalj.dol.gov/libdba.htm>

REFERENCE CASE NO. 4

American Building Automation, ARB Case No. 00-067 (March 30, 2001)

In this case, the ARB concluded that the WHD Administrator properly denied a request for the addition of a “Building Automation and Controls Technician” (BACT) classification. The Administrator determined that the work of the proposed BACT classification was performed by another classification already found within the wage determination, and the ARB affirmed the Administrator’s denial of the conformance request supported by the record.

The subcontractor who requested that classification asserted that the work involved did not fall squarely within any single trade classification in the wage determination and that such workers had to be knowledgeable in all of the traditional trades, including electrical, mechanical, telecommunications and networks. The Davis-Bacon wage determination in the contract in question included a union wage rate for the plumber classification. Believing that the work to be performed by the proposed BACT classification might fall within the work performed by employees classified as plumbers, the WHD inquired into trade jurisdiction practices under the collective bargaining agreement negotiated by the Plumbers’ local union. The union provided a copy of its collective bargaining agreement and documentation of several construction projects where this work had been performed by workers classified and paid as plumbers. Based on this data, the Administrator determined that the first criterion for establishing a new classification under the conformance process was not satisfied.

In its decision affirming the Administrator’s determination, the ARB noted that “[a] conformance request does not call for a *de novo* evaluation of prevailing local practices or wage rates, questions that might be appropriately raised in a pre-award request for review and reconsideration of a wage determination under 29 C.F.R. §1.8” and that:

[I]t is well-established that in a conformance situation the Division is not required to determine that a classification in the wage determination actually is the prevailing craft for the tasks in question, only that there is evidence to establish that the classification actually performs the disputed tasks in the locality. [Prior ARB decision and cases cited therein referenced]”

Note: The above synopsis is provided for information purposes only. The full text of the decision can be obtained from the ARB. and it is available at:

<http://www.oalj.dol.gov/libdba.htm>

REFERENCE CASE NO. 5

Swanson's Glass, WAB Case No. 89-20 (April 29, 1991)

In this case, the WAB affirmed the WHD Administrator's denial of a request for the addition of a glazier classification on the ground that the contractor's proposed rate did not bear a reasonable relationship to the rates on the wage determination. The proposed wage rate was substantially lower than the wage rate for roofers – the lowest paid skilled classification on the applicable wage determination, and also substantially lower than the hourly rate in the wage determination for laborers.

The WAB further characterized the petitioner's argument that the proposed glazier wage rate was "in conformity with the prevailing wage rate for glaziers for this locality" as essentially challenging the applicable wage determination, and emphasized that "the Board has consistently ruled that in order for a challenge to a wage determination to be timely, the challenge must be made prior to contract award (or start of construction if there is no contract award)."

The contractor's contention that the contracting officer approved its proposed rate was also rejected. The WAB noted that the conformance regulations do not give the contracting officer final approval, and even if the contracting agency had described its actions as authoritative approval, erroneous contracting agency advice does not bar the DOL from requiring payment of the appropriate rate.

In this case, the Board also states that the WHD's failure to deny the requested classification within the 30 day timeframe contemplated by the regulations is not determinative, as that regulation is not jurisdictional, the conformance regulations do not specify that the failure of the Administrator to act within 30 days is effectively the Administrator's approval or acquiescence in the proposed classification or wage rate, and the 30-day time period referenced in Section 5.5(a)(1)(ii)(B) does not provide a basis to presume that in the absence of a response from the Administrator, the requested classification and wage rate had been approved.

Note: The above synopsis is provided for information purposes only. The full text of the decision can be obtained from the ARB. and it is available at:

<http://www.oalj.dol.gov/libdba.htm>

APPRENTICES, TRAINEES, HELPERS, AND WELDERS

Apprentices and Trainees

- ◇ Additional classifications and wage rates are not needed for bona fide apprentices and trainees working on Davis-Bacon covered contracts. Rates for apprentices and trainees are not listed on Davis-Bacon wage determinations. Apprentices or trainees are permitted to work at less than the wage rates listed in the contract wage determination for the work they perform only if they meet the requirements of 29 C.F.R. Part 5, section 5.5(a)(4), such as being registered or certified in an appropriate apprenticeship or training program. (See FAR at 48 C.F.R. § 22.401 Definitions, “Laborers or mechanics,” paragraphs (1) and (2), and 48 C.F.R. § 52.222-6.)

Helpers

- ◇ Generally, helpers may not be approved unless the duties performed are clearly defined and distinct from those of the journeyman classification and from the laborer, the use of such helpers is an established prevailing practice, and the term “helper” is not synonymous with “trainee” in an informal training program. The conformance process cannot be used to add a “helper” classification where work to be performed by the helper is performed by a classification in the wage determination. 29 C.F.R. §§ 5.2(n)(4) and 5.5(a)(1)(ii)(A).

Welders

- ◇ Additional classifications are not generally needed for welders. Welding is commonly considered incidental to the work of employees for whom classifications are issued. Thus, it is appropriate for welders to be classified in the same classification as the employees who are performing the duties to which the welding work is incidental (for example, ironworkers, plumbers, sheet metal workers, etc.). However, welders may sometimes represent a separate sub-classification.

FOREMEN, TECHNICAL AND SUPERVISORY EMPLOYEES

An individual employed in a bona fide executive, administrative or professional capacity, as defined in Regulations, 29 C.F.R. Part 541, is not a “laborer” or “mechanic” as these terms are defined under the Davis-Bacon Act.

- ◇ However, if a supervisory employee who is not exempt from coverage under that regulation spends more than an incidental amount of work as a laborer or mechanic, the hours spent in these activities would be subject to the Davis-Bacon labor standards.
- ◇ For example, if a working foreman spends more than 20 percent of the time performing laborer or mechanic duties at the job site, the hours spent in these activities should be paid at least the hourly rate specified in the contract wage determination for the appropriate laborer or mechanic classification(s).

29 C.F.R. § 5.2(m).

SPECIALTY AND GENERAL CLASSIFICATIONS

Additional classification requests/conformances are often requested for the following specialty classifications. These specialty classifications should not be approved if the duties are performed on similar construction in the area by general classifications that are listed on the contract wage determination.

SPECIALTY CLASSIFICATION (Often requested by contractors)	GENERAL CLASSIFICATION (may perform the specialty duties)
Drywall (sheetrock) installers	Carpenters
Drywall finishers/tapers	Painters
Alarm installers Sound and communication workers/installers Electronic technicians Lightning protection installers Low voltage installers	Electricians
HVAC mechanics (heating, ventilation and air conditioning mechanics) Refrigeration mechanics/workers Furnace installers Burner repairmen	Sheet metal workers Plumbers Pipe fitters/steam fitters Electricians
Pipe wrappers/insulators Mechanical (system) insulators	Asbestos workers/ heat & frost insulators
Batt insulation installers Blown insulation installers	Carpenters Laborers
Asbestos abatement workers (removal from pipes and boilers that will be reinsulated)	Asbestos workers/heat and frost insulators
Asbestos abatement workers (removal does not include removal from pipes and boilers that will be reinsulated)	Laborers
Metal building assemblers/builders/erectors	Iron workers Laborers Sheet metal workers Carpenters
Fence erectors	Ironworkers Laborer

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SPECIALTY CLASSIFICATION (Often requested by contractors)	GENERAL CLASSIFICATION (may perform the specialty duties)
Rebar workers Rodman (performing rebar work) Steel setters Steel or iron tiers	Ironworkers (reinforcing) Cement workers Laborers
TV-grout operators	Power equipment operators Laborers Truck drivers

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STANDARD FORM 1444

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND RATE		CHECK APPROPRIATE BOX <input type="checkbox"/> SERVICE CONTRACT <input type="checkbox"/> CONSTRUCTION CONTRACT		OMB No.: 9000-0089 Expires: 02/28/96
Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (VRS), Office of Federal Acquisition Policy, GSA, Washington, DC 20405; and to the Office of Management and Budget, Paperwork Reduction Project (9000-0089), Washington, DC 20503.				
NOTE: THE CONTRACTOR SHALL COMPLETE ITEMS 3 THROUGH 16 AND SUBMIT THE REQUEST, IN QUADRUPLICATE, TO THE CONTRACTING OFFICER				
1. TO: ADMINISTRATOR, Employment Standards Administration WAGE AND HOUR DIVISION U.S. DEPARTMENT OF LABOR WASHINGTON, D.C. 20210		2. FROM: (REPORTING OFFICE)		
3. CONTRACTOR			4. DATE OF REQUEST	
5. CONTRACT NUMBER	6. DATE BID OPENED (SEALED BIDDING)	7. DATE OF AWARD	8. DATE CONTRACT WORK STARTED	9. DATE OPTION EXERCISED (IF APPLICABLE) (SCA ONLY)
10. SUBCONTRACTOR (IF ANY)				
11. PROJECT AND DESCRIPTION OF WORK (ATTACH ADDITIONAL SHEET IF NEEDED)				
12. LOCATION (CITY, COUNTY AND STATE)				
13. IN ORDER TO COMPLETE THE WORK PROVIDED FOR UNDER THE ABOVE CONTRACT, IT IS NECESSARY TO ESTABLISH THE FOLLOWING RATE(S) FOR THE INDICATED CLASSIFICATION(S) NOT INCLUDED IN THE DEPARTMENT OF LABOR DETERMINATION				
NUMBER: _____		DATED: _____		
a. LIST IN ORDER: PROPOSED CLASSIFICATION TITLES(S); JOB DESCRIPTION(S); DUTIES; AND RATIONALE FOR PROPOSED CLASSIFICATIONS (SCA ONLY) <i>(Use reverse or attach additional sheets, if necessary)</i>		b. WAGE RATE(S)		c. FRINGE BENEFITS PAYMENTS
14. SIGNATURE AND TITLE OF SUBCONTRACTOR REPRESENTATIVE (IF ANY)		15. SIGNATURE AND TITLE OF PRIME CONTRACTOR REPRESENTATIVE		
16. SIGNATURE OF EMPLOYEE OR REPRESENTATIVE		TITLE	CHECK APPROPRIATE BOX-REFERENCING BLOCK 13. <input type="checkbox"/> AGREE <input type="checkbox"/> DISAGREE	
TO BE COMPLETED BY CONTRACTING OFFICER (CHECK AS APPROPRIATE - SEE FAR 22.1019 (SCA) OR FAR 22.406-3 (DBA))				
<input type="checkbox"/> THE INTERESTED PARTIES AGREE AND THE CONTRACTING OFFICER RECOMMENDS APPROVAL BY THE WAGE AND HOUR DIVISION. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.				
<input type="checkbox"/> THE INTERESTED PARTIES CANNOT AGREE ON THE PROPOSED CLASSIFICATION AND WAGE RATE. A DETERMINATION OF THE QUESTION BY THE WAGE AND HOUR DIVISION IS THEREFORE REQUESTED. AVAILABLE INFORMATION AND RECOMMENDATIONS ARE ATTACHED.				
<i>(Send copies 1, 2, and 3 to Department of Labor)</i>				
SIGNATURE OF CONTRACTING OFFICER OR REPRESENTATIVE		TITLE AND COMMERCIAL TELEPHONE NO.	DATE SUBMITTED	

**U.S. DEPARTMENT OF LABOR
PREVAILING WAGE RESOURCE BOOK 2009**

DB CONFORMANCES

WAGE ANALYST LISTING

<u>State</u>	<u>Analyst</u>	<u>Phone (202)</u>	<u>Team Leader</u>	<u>Phone (202)</u>
Alabama	Anjanette Twiggs	693-0159	Forest Randall	693-0740
Alaska	Gary Lechman	693-0647	Terry Sullivan	693-0648
Arizona	Forest Randall	693-0740	Forest Randall	693-0740
Arkansas	Anjanette Twiggs	693-0159	Forest Randall	693-0740
California	Forest Randall	693-0740	Forest Randall	693-0740
Colorado	Jeff Gaskins	693-0560	Forest Randall	693-0740
Connecticut	Laima Ciguzis	693-0528	Forest Randall	693-0740
District of Columbia	Laima Ciguzis	693-0528	Forest Randall	693-0648
Delaware	Gary Lechman	693-0647	Terry Sullivan	693-0740
Dredging	Laima Ciguzis	693-0528	Forest Randall	693-0740
Florida	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
Georgia	Anjanette Twiggs	693-0159	Forest Randall	693-0740
Guam	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
Hawaii	Laima Ciguzis	693-0528	Forest Randall	693-0740
Idaho	Gary Lechman	693-0647	Terry Sullivan	693-0648
Illinois	Anjanette Twiggs	693-0159	Forest Randall	693-0740
Indiana	Melvin Leeper	693-0598	Terry Sullivan	693-0648
Iowa	Melvin Leeper	693-0598	Terry Sullivan	693-0648
Kansas	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
Kentucky	Jeff Gaskins	693-0560	Forest Randall	693-0740
Louisiana	Anjanette Twiggs	693-0159	Forest Randall	693-0740
Maine	Melvin Leeper	693-0598	Terry Sullivan	693-0648
Maryland	Laima Ciguzis	693-0528	Forest Randall	693-0740
Massachusetts	Melvin Leeper	693-0598	Terry Sullivan	693-0648
Michigan	Paul Rabinowitz	693-0692	Forest Randall	693-0740
Minnesota	Forest Randall	693-0740	Forest Randall	693-0740
Mississippi	Anjanette Twiggs	693-0159	Forest Randall	693-0740
Missouri	Laima Ciguzis	693-0528	Forest Randall	693-0740
Montana	Forest Randall	693-0740	Forest Randall	693-0740
Nebraska	Melvin Leeper	693-0598	Forest Randall	693-0740

**U.S. DEPARTMENT OF LABOR
PREVAILING WAGE RESOURCE BOOK 2009**

DB CONFORMANCES

WAGE ANALYST LISTING (Continued)

<u>State</u>	<u>Analyst</u>	<u>Phone (202)</u>	<u>Team Leader</u>	<u>Phone (202)</u>
Nevada	Paul Rabinowitz	693-0692	Forest Randall	693-0740
New Hampshire	Pat Crepeau	693-0535	Terry Sullivan	693-0648
New Jersey	Gary Lechman	693-0535	Terry Sullivan	693-0648
New Mexico	Jeff Gaskins	693-0560	Forest Randall	693-0740
New York	Melvin Leeper	693-0598	Terry Sullivan	693-0648
North Carolina	Pat Crepeau	693-0535	Terry Sullivan	693-0648
North Dakota	Paul Rabinowitz	693-0692	Forest Randall	693-0740
Ohio	Jeff Gaskins	693-0560	Forest Randall	693-0740
Oklahoma	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
Oregon	Gary Lechman	693-0647	Terry Sullivan	693-0648
Pennsylvania	Gary Lechman	693-0647	Terry Sullivan	693-0648
Rhode Island	Jeff Gaskins	693-0560	Forest Randall	693-0740
South Carolina	Pat Crepeau	693-0535	Terry Sullivan	693-0648
South Dakota	Paul Rabinowitz	693-0692	Forest Randall	693-0740
Tennessee	Laima Ciguzis	693-0528	Forest Randall	693-0740
Texas	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
The Island	Cynthia Taylor	693-0652	Terry Sullivan	693-0648
Utah	Paul Rabinowitz	693-0692	Forest Randall	693-0740
Vermont	Pat Crepeau	693-0535	Terry Sullivan	693-0648
Virginia	Laima Ciguzis	693-0528	Forest Randall	693-0740
Washington	Gary Lechman	693-0647	Terry Sullivan	693-0648
West Virginia	Jeff Gaskins	693-0560	Forest Randall	693-0740
Wisconsin	Forest Randall	693-0740	Forest Randall	693-0740
Wyoming	Jeff Gaskins	693-0560	Forest Randall	693-0740